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05 UNITED STATES DISTRICT COURT  
06 WESTERN DISTRICT OF WASHINGTON  
07 AT SEATTLE

08 LEROY CARR, ) CASE NO. C11-0553-RSM  
09 ) (CR07-333-RSM)  
10 Petitioner, )  
11 v. ) ORDER DENYING PETITIONER'S  
12 ) HABEAS PETITION  
13 UNITED STATES OF AMERICA, )  
14 )  
15 Respondent. )  
16 \_\_\_\_\_ )

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14 The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's  
15 answer thereto, the Report and Recommendation of Mary Alice Theiler, United States  
16 Magistrate Judge, and the remaining record, does hereby find and Order:

- 17 (1) The Court adopts the Report and Recommendation;  
18 (2) Petitioner's habeas petition is DENIED without an evidentiary hearing, and this  
19 action is DISMISSED;  
20 (3) Petitioner's two motions for "documentary evidence" in the form of a trial  
21 exhibit and Grand Jury transcript (Dkt. ##22,23) are DENIED;  
22 (4) Petitioner is DENIED issuance of a certificate of appealability, and

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02 (5) The Clerk is directed to send copies of this Order to petitioner, to counsel for  
03 respondent, and to Judge Theiler.  
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05 DATED this 21 day of December 2011.  
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09 RICARDO S. MARTINEZ  
10 UNITED STATES DISTRICT JUDGE  
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